



BANGALORE ELECTRICITY SUPPLY COMPANY LIMITED

(Wholly owned Government of Karnataka Undertaking)

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No.: BESCOM/GM(DAS)/DGM-5/AGM-9/2024-25/984

O/o General Manager (DAS & SG)
BESCOM Integrated Control Center,

24th Main, 17th Cross road,

HSR Layout, 2nd Sector,

Bangalore-560102

Date: 05.09.2024

Clarification to Pre-bid Queries

Sub: Providing Point to Point Carrier Ethernet Services for DAS operations.

Ref: 1. Enquire No BESCOM/GM-DAS/CS/OFC/24-25/10 dated 23.08.2024

2. Tender No: BESCOM/2024-25/SE0179 dated: 26.08.2024

3. Pre-bid queries received vide emails dated 31.08.2024

4. Pre-bid queries received during Pre-bid meeting held on 02.09.2024

Subsequent to the Pre-bid queries received by BESCOM vide references 3 & 4 cited above, the Clarifications to the quires document is annexed.

**General Manager
DAS, BESCOM**

Clarifications to Pre-bid queries of Tender No: BESCOM/24-25/SE0179 Dated: 26.08.2024 for "Providing Point to Point Carrier Ethernet Services for DAS operations"

Sl.No	Section	Clause Details	Query raised by the firm	BESCOM clarification
M/s TTSL				
1	Section I	Technical Qualification Criteria 1 The Bidder should be in existence as any of the following: a) Company incorporated in India under the Companies Act, 1956/2013 including any amendment thereto 2. Annual filings (E-Forms AOC-4, MGT7) filed by the Company to Registrar of Companies (Ministry of Corporate Affairs, Government of India) for preceding two Financial Years. 3. Declaration from Directors of the Company stating that they are not disqualified to be a Director of the Company along with the list of Companies in which they are Directors as on the date of inviting tender (s).	M/s. TATA Teleservices Limited is a Public Limited Company. All the results are published in Public domain and are available for reference at any time thorough our website. Hence we wish to submit here that for point no 2 & 3 we would submit the following. Request Acceptance from BESCOM - We can submit the following - a. MCA list with Board of Directors b. MOA & AOA of the organization c. Certificate of Incorporation	For point 2: Bidder can upload E-forms AOC-4,MGT7 For point 3. Bidder can upload Form MBP-1
2	SectionI	Technical Qualification Criteria 7 Bidders who meet the above criteria, will only be qualified, if their available tender capacity is more than the total tender value.	We wish to submit here that we have a Non Disclosure Agreement signed with our customers with a confidentiality clause forbidding us to disclose details of the contract.	Accepted.

Sl.No	Section	Clause Details	Query raised by the firm	BESCOM clarification
		The available tender capacity will be calculated as under:- Assessed available tender capacity = $(A * N * 2.5 - B)$ Where A = Maximum value of work executed in any one year during the last five years (updated to FY2023-24 price level), taking into account the completed as well as works in progress. N = Number of years prescribed for completion of works for which tenders are invited. B = Value, at FY23-24 price level, of existing commitments and on-going works to be completed during the next 2 years. Bidder shall upload the statements showing the value of existing commitments and on-going works as well as the stipulated period of completion remaining for each of the works as per the format prescribed in the Techno-Commercial sheet. The bidder shall note that the value of pendency of work should be considered based on financial progress achieved in the particular work as on the date of bid submission. The statement should be certified by an officer not below the rank of an Executive Engineer or equivalent.	However we can share such work order copies with contract \ bandwidth values masked along with any other details that may not violate the confidentiality clause, It is hereby requested to accept above solution.	

SI.No.	Section	Clause Details	Query raised by the firm	BESCOM clarification
3	Section I & ANNEXURE-J: FORMAT FOR BANKERS'S CERTIFICATE/ TE/LINE OF CREDIT LETTER	Financial Qualification Criteria 9 The Liquid Assets as on 31.07.2024 or at later date before last date of submission of technical bid. The liquidated assets consisting of cash in hand + cash in bank + Term Deposits + availability of fund based credit facilities in any of the Nationalized bank or Scheduled Bank shall not be less than Rs. 12.88 Lakhs. The cash at bank and bank deposits as on 31.07.2024 or at later date before last date of submission of technical bid shall be supported by certificate issued by any scheduled/nationalized bank duly indicating the balance on given date. If bidder is having bank accounts in multiple banks. The cash at bank, bank deposits and fund based credit facility for the bidder it should be on the same date and time for all the banks. In case of Fund based credit facility, the certificate issued by the scheduled/ nationalized bank duly mentioning the sanctioning limits / funds. The cash at bank, term deposits with bank and availability of fund-based credit facility as on 31.07.2024 or at a later date but before last date of submission of technical bid shall be supported by certificate issued by any scheduled/nationalized bank duly indicating the sanctioned, utilized and balance amount on given date and time as per annexed format.	TTL being a public limited organization, only published reports can be shared. Hence we can provide the requisite document as on 31st March 2024. ANNEXURE-J: FORMAT FOR BANKERS'S CERTIFICATE/LINE OF CREDIT LETTER cannot be provided due to limited disclosures. It is hereby requested to accept above solution.	Tender conditions prevails

Sl.No	Section	Clause Details		Query raised by the firm	BESCOM clarification
4	Section I	General Requirements 2 Litigation History: Bidder should provide detailed information on any litigation or arbitration arising out of contracts completed or under execution by it over the preceding five years i.e. FY 2019-20, 2020-21, 2021-22, 2022-23 and 2023-24. A consistent history of awards involving litigation against the Bidder may result in rejection of Bid. Bidder shall upload notarized Self-declaration on Rs. 500/-stamp paper. General Requirements Sl.No 1, 2and 4 shall be combined in One notarized Self-declaration on Rs. 500/- stamp paper.		We would like to declare that we are not involved in any litigation that may have an impact of affecting or compromising the delivery of services as required under this assignment, and we are not under a declaration of ineligibility for corrupt or fraudulent practices. Request acceptance of the above declaration.	Bidder to enclose Self-declaration on Rs. 500/- stamp paper as per Annexure-D.
5	Section II	15. Taxes and Duties i. No claim for any increase towards statutory variation regarding enhancement of existing tax, GST or duty or introduction of a new tax or duty shall be entertained during the extended period of contract if the extension is required by causes attributable to the supplier.		The mentioned clause is not agreeable. Taxes are applicable on the services availed by customer & billed for. Customer has to pay the requisite amount. Supplier shall not be responsible for the same.	Tender conditions prevails
6	Section IV	ANNEXURE-M: POWER OF ATTORNEY		We can submit the Power of Attorney issued to the Authorized Signatory by our organization for carrying out the laid down instructions and processes which include bid (Tender) response signing. Hence we cannot submit a Power of Attorney for case to case on individual tender basis. Kindly consider.	Accepted.

Sl.No	Section	Clause Details	Query raised by the firm	BESCOM clarification
7	Section III	20. TAXES, PERMITS & LICENCES 20.9. No claim for any increase towards statutory variation regarding enhancement of existing tax, GST or duty or introduction of a new tax or duty shall be entertained during the extended period of contract if the extension is required by causes attributable to the supplier.	All the statutory taxes needs to be borne by BESCOM as per the prevailing rate. TTL shall not be responsible for the same	Tender conditions prevails
8	Section III	23. DEFENCE OF SUITS	Not agreeable. Request removal of this clause	Tender conditions prevails
9	Section III	51.SETTLEMENT OF DISPUTES 51.2. If any dispute or difference of any kind, whatsoever, shall arise between BESCOM and the Contractor, arising out of the Contract for the performance of the Works whether during the progress of the Works or after its completion or whether before or after the termination, abandonment or breach of the Contract, it shall, be referred to and settled by the MD,BESCOM who, within a period of thirty (30) days after being requested by either party to do so, shall give written notice of his decision to BESCOM and the Contractor.	In case of any dispute or differences that the Parties are not able to come to a resolution mutually, shall be referred to an arbitrator appointed at mutual consensus of both the Parties and the arbitration shall be conducted as per the Arbitration and Conciliation Act, 1996 having venue at Bangalore	Tender conditions prevails
10	Section III	48. TERMINATION OF CONTRACT ON BESCOM'S INITIATIVE 48.1. BESCOM reserves the right to terminate the Contract either in part or in full due to reasons other than those mentioned under clause entitled 'Contractor's Default'. BESCOM shall in such an event give fifteen (15) days" notice in writing to the Contractor of his decision to do so.	In case of no fault from Supplier - If BESCOM desires to exit/terminate this Agreement, whole or in part, prior to the expiry of Lock-in Period unilaterally, Customer shall inform TTL at least 30 days in advance in writing and shall be liable to promptly pay Exit Payment for Links existing as on the date of exit/termination. Customer further agrees that said advance written notice shall be accompanied by requisite Exit Payment.	BESCOM shall give thirty (30) days notice in writing in case of termination of contract due to reasons not attributable to Contractor. Refer Clause 48.3 for clarification on Payment in the event of such termination.

Sl.No	Section	Clause Details	Query raised by the firm	BESCOM clarification
M/s Airtel				
11	Section I- IFB	3. Qualifying Requirements Technical Qualification Criteria QR1) The Bidder should be in existence as any of the following: a) Company incorporated in India under the Companies Act, 1956/2013 including any amendment thereto; 3. Declaration from Directors of the Company stating that they are not disqualified to be a Director of the Company along with the list of Companies in which they are Directors as on the date of inviting tender (s).	The firm requested for submission of "Declaration regarding not disqualified" from Authorized Signatory of the Company.	Bidder can upload Form MBP-1
M/s Vodafone Idea				
12	Section I- IFB	3. Qualifying Requirements Technical Qualification Criteria QR5) Bidder shall upload Client satisfaction certificate by an officer not below the rank of Executive Engineer or equivalent rank officials of Central/State Government Department/ PSUs / Undertaking Electrical Utility/ Government bodies / Public /Private sector Utilities in India and contact person details shall be enclosed.	The firm requested for submission of "Client satisfaction certificate" issued through E-mail/letter.	Tender conditions prevails
M/s Airtel and M/s Vodafone Idea				
13	Section III- GCC	13. Installation and Commissioning The links shall be established and commissioned within 2 weeks from issuance of Letter of Intent by BESCOM.	The firms requested to increase the timeline for establishment and commissioning of links from 2 weeks to 4 weeks.	Accepted.